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January 6, 2014

Richard L. Furman
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Hon. Viktor V. Pohorelsky, U.S.M.J.
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Precision Associates, et. al. v. Panalpina, et. al.*
Case No.: 08-cv-0042 (JG)(VVP)
Our File No.: 966-7

Dear Magistrate Judge Pohorelsky:

We are the attorneys for Defendant Dachser GmbH i/s/h/a Dachser Intelligent Logistics (“Dachser”) in the above referenced matter. We are writing to request leave to file a Reply to Plaintiffs’ Opposition to Dachser’s Objections to the Disclosures of Documents Relating to Foreign Investigations (the “Motion”).

On December 16, 2013, your honor issued a Discovery Order incorporating the parties’ joint report under Fed. R. Civ. P. 26(f) and the determinations made pursuant to the Court’s November 7, 2013 pretrial scheduling conference. Exhibit “A”.

Pursuant to this Order, Dachser timely filed a Motion for Protective Order requesting that disclosures relating to foreign investigation not be produced. Exhibit “A” at pg. 2; Exhibit “B”. Thereafter, on December 19, 2013, the Court issued an order directing plaintiffs to serve opposition to the Motion by December 23rd. See Docket Entry dated December 19, 2013 between document numbers 977 and 978 on page 67 of 68 of the Civil Docket Report for the above reference matter, annexed hereto as Exhibit “C”. Plaintiffs filed an opposition to Dachser’s motion on December 23, 2013. Exhibit “D”.

When issuing the December 16th Discovery Order and when setting the date by which plaintiffs were required to file their opposition to the Motion the Court did not indicate a date by which a reply could be filed to plaintiffs’ opposition to the Motion. We are unsure, therefore, whether this was a mere oversight or if the Court intended no reply be filed. In either event, plaintiffs’ opposition raises a number of issues to which we believe we should have an opportunity to respond.

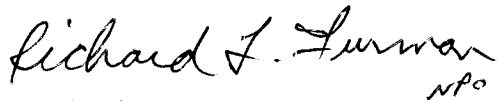


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Accordingly, Dachser requests the Court's leave to reply to Plaintiffs' December 23rd Opposition and to set a reasonable date by which the reply is to be filed and served.

Thank you in advance for your favorable consideration of the within request.

Respectfully submitted,
CARROLL MCNULTY & KULL LLC

By  *Richard L. Furman*
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Encs.

966-7 Letter to Hon Pohorelsky re reply to plf opp (final) 1261766v1